



Frederick County Fire and Rescue Advisory Board Meeting

Meeting Minutes

APPROVED

Date: October 8, 2018, 1900 hours

Location: Winchester Hall
3rd Floor Hearing Room
12 E. Church Street, Frederick, MD 21701

Attendance:

Battalion 1 (Todd Johnson)	Present
Battalion 2 (David Remsburg).....	Present
Battalion 3 (Susan Nicol)	Present
Battalion 4 (Micky Fyock)	Present
Battalion 5 (Tim Clarke)	Absent
Career Rep (Warren "Jay" Schwab).....	Present
Career Rep (Kevin Schmidt)	Present (phone)
Citizen Rep (Susan Reeder Jessee).....	Present
Citizen Rep (Gunnar Pedersen)	Present

Nonvoting Reps:

Frederick County Executive (Jan H. Gardner).....	Absent
Jurisdictional Medical Director (Dr. Jeffrey Fillmore).....	Absent
Fire & Rescue Services (Chief Tom Owens)	Present
Volunteer Fire & Rescue Assoc. (President Eric Smothers)	Present (phone)
Volunteer Fire & Rescue Assoc. (Chief Kevin Fox).....	Present
Local #3666 (President Stephen Jones).....	Present

Guests: None.

**Frederick County Fire Advisory Board Meeting
October 8, 2018**

I. CALL TO ORDER:

The meeting was called to order at 7:01 p.m. by Vice Chairman Gunnar Pedersen.

II. ROLL CALL OF VOTING AND NONVOTING MEMBERS:

Absent was:

1. Tim Clarke, Battalion 5 Representative
2. Jan Gardner, County Executive
3. Dr. Jeffrey Fillmore, Jurisdictional Medical Director

III. INTRODUCTION OF GUESTS:

None.

IV. APPROVAL OF PREVIOUS MEETING MINUTES:

Motion to approve September meeting minutes: Moved by Susan Nicol. Seconded by Todd Johnson.

VOTE: YES: 7 NO: 0 ABSTAIN: 1 PASSED

V. BOARD MEMBER COMMENTS:

None.

VI. PUBLIC COMMENTS:

None.

VII. EX OFFICIO MEMBER REPORTS:

A. Frederick County Executive, Mrs. Jan Gardner:

As County Executive Jan Gardner was absent, no report was given.

B. Jurisdictional Medical Director, Dr. Jeffrey Fillmore:

As Dr. Fillmore was absent; no report was given.

C. Fire & Rescue Division Director, Chief Tom Owens:

Middletown Fire Station

The Middletown Fire Station dedication was set for Sunday, October 28, at 1:00 p.m. Chief Owens stated that the invitations have gone out via email. All are welcome to attend, including the public.

North Frederick Fire Station

Chief Owens noted that there was no change in the North Frederick Fire Station status from the previous month. Finalization of the property transfer is still being awaited on from the Board of Education.

Apparatus

The ladder truck for Middletown Fire Station was nearly complete at the time of the meeting.

Recruit Classes

Recruit Class #24 was scheduled to start October 29th with 26 of the original 28 recruits remaining.

Chief Owens stated that the addition of Recruit Class #25 has been supported by the County Executive. Work is underway to establish a new candidate pool, and applications have been closed. Recruit Class #25 is planned for a March timeframe.

Salary and Benefit Analysis

A compensation study has been awarded to Emergency Services Consulting, Inc. They will be comparing the salary benefits of Frederick County with the five other jurisdictions with which Frederick County most directly competes. Chief Owens stated the goal was for them to have their review completed in late November before beginning negotiations with the Local in the next cycle. This data will then be the basis of the discussions before beginning the next contract discussion.

Supplemental Budget Proposal

Chief Owens apprised the Board of the County Executive's announcement on a supplemental budget proposal for mid-year. He revisited the subject of Recruit Class #25 and explained the plans for those 28 positions, i.e., 24/7 staffing of the engine at the Middletown Fire Station, the staffing of a second ambulance at the Junior Fire Company, and 24/7 ambulance staffing in Thurmont, and the addition of a second EMS Supervisor per shift.

Regarding PPE, the NFPA Code requires the replacement of gear that is 10 years old or older. Because of a very successful Fire Act Grant in 2007, we were able to purchase all new state-of-the-art protective clothing, and it is now outdated. Some of our firefighters are still using this outdated turnout gear, and since efforts to obtain funding for new gear have been unsuccessful, the County Executive plans to take action to bring the PPE up to code. In a phased way, and as part of a supplemental appropriations package, she will begin by authorizing an initial \$1 million to begin the replacement cycle. This initial purchase will allow the bulk of expired PPE to be replaced, and future purchases will be phased so that replacement costs can be staggered over the years.

Question Asked: "I guess some are used more heavily than others. It's just that they're inadequate for protection against certain elements?"

Chief Owens replied that the National Fire Protection Association safety standard recommended not using firefighter protective clothing for more than 10 years.

Question Asked: "Whether it's been lightly used or heavily used?"

"Right," answered Chief Owens. He further stated that a heavy-use station may need replacement after 5 years, whereas a lighter-use station may get the full 10 years out of the equipment. The current issue with the equipment is that so much of it has reached the point of cycling out at the same time. The benefit of phasing the purchases over the next few years is that the County will not be in the same position of needing to replace the majority of equipment all at the same time again 10 years from now.

Chief Owens also stated that the County Executive is now also recommending the funding of a "Assistant Director for Volunteer Services" position. This had previously been eliminated as a part of trading off funding initiatives with the County Council during their budget markup.

As part of the supplemental budget proposal, the County Executive also intends to change the sick day policy, which currently arbitrarily penalizes the career firefighters who are off for illness by not counting the sick day hours as hours of work. In the current system, if overtime is accumulated in the same FLSA pay cycle, they merely restore the sick leave they previously used rather than receiving overtime pay, essentially working that day for nothing.

The County Executive's final supplemental budget item will move up the timetable for the Emergency Communication Center to transition and upgrade to the next generation 911 system. This will be a tremendous advantage to improving the 911 linkage to citizens, and will allow emergency personnel to more quickly identify where and what a 911 caller's needs are.

Chief Owens noted that all of the supplemental budget items highlighted are subject to County Council review and action on October 23rd.

Question Asked: "With the recruit class, there's 26. There were 28 originally, and two are out. Isn't there a waitlist that we can immediately move two people up?"

"It's exhausted," replied Chief Owens.

Question Asked: "Should the Fire and Rescue Advisory Board expect any follow-up action or anything from the salary benefits study? Will that come to us for any recommendation? How closely should we be following that?"

Chief Owens replied that the salary benefits study is a public document, so if any Fire and Rescue Advisory Board members would like a copy of the report when it comes back, it will be provided. Discussion then ensued regarding how beneficial this will be for the firefighters, as they are a separate class of employees within the County and have not been included in the regular evaluations that the County performs for the rest of its employees.

Question Asked: "What's the name of the group doing the study?"

"Emergency Services Consulting, Inc.," replied Chief Owens, stating that they are a West Coast-based company out of Oregon state but have local offices all over the country and are very reputable. Stephen Jones pointed out that they do this service for many of the surrounding counties as well.

Question Asked: "So they know this sector, this employee—?"

Stephen Jones confirmed that their company is familiar with Frederick County. Chief Owens added that ESCI will also be handling the entry-level firefighter exam for the first time.

Question Asked: "For the class that you tested for, how many are we testing, or how many applicants did we get for that class?"

Six Hundred (600) applications were received, and Chief Owens explained that the first cut of applications is done by the NEOGOV computer system. The remaining balance will be invited to take a written exam. Candidates passing the written exam will then go on to do the physical ability test, etc. That will happen in November and early December. Those who pass that step will then sit for the interview panel, and after successfully completing the interview, they will be put into the new candidate pool.

Question Asked: "The staffing enhancements that she announced, the additional 28 positions for Company #7 and EMS supervisor, is that all going to happen when the next recruit class or the second one, the March class, graduates? So, like, September, October-ish? Is that when those staffing changes will go into effect, or will they come out of leave impact?"

Chief Owens answered that if they could strike a balance, where they could achieve some of the staffing that is being looked at and still be able to add the two leave slots, then he would be willing to do that. If it gets too tight, he said, then what may happen is they will treat the October school as leave impact and get that restored, and then use the March class for the staffing enhancement. This will really hinge on whether those two leave slots can be added, because they are needed one way or the other.

Question Asked: "The enhancements to the Thurmont area, is that going to Company #30 or #10? Where is the staffing going?"

Chief Owens stated, "We're in conversation with Station #30."

D. President, FCVFRA, Eric Smothers:

A lengthy discussion with President Smothers ensued regarding the upcoming study. Chief Fox pointed out that negotiations had actually been five months prior and that while the Local is in favor of the study, they did not actually request it. That request came from County Executive Gardner and Chief Owens.

Question Asked: "So you didn't propose that?"

"No, not at all," replied Stephen Jones. Chief Owens once again stressed the benefit of having this impartial evaluation to compare Frederick County with the other jurisdictions. This data will aid with moving the discussion forward and will minimize meeting time as part of the process.

E. Local #3666, President, Stephen Jones:

Stephen Jones had no report for the October meeting.

F. Volunteer Fire and Rescue Association Director, Kevin Fox:

LOSAP Committee

LOSAP Committee last met on September 13th, during which recommendations were made for some changes, including a change to the Length of Service Awards Program ordinance. An exception statement was requested for removal of a volunteer for after 5 years of inactivity for active duty military members. A request was made to delete the section defining a permanent medical waiver, and the committee felt that a volunteer should submit the medical waiver documentation annually to ensure that the disabilities are still valid. There was also a request to change the old terminology of the Frederick County Commissioners throughout the entire document. Finally, Chief Fox mentioned that the idea of increasing the training points was put forth, but had not been received favorably by the committee.

Question Asked: "The point scale is set by each county. That's correct, right?"

"Correct," responded Chief Fox, noting that the committee felt that if they changed it, it would enable members to just run calls and do training, and not take part in administrative or fundraising activities.

Operations Committee

Chief Fox stated the Operations Committee met on September 18th at the Public Safety Training Facility, where reports were provided by all of the committee representatives. Emergency Communications provided a presentation to demonstrate how diverse Frederick County is and how many different algorithms they have to go through to make dispatch work. This presentation gave a lot of insight into the CAD system. It was recommended to repeat this presentation at the All Chiefs meeting, scheduled for October 16th.

Training Committee

The Training Committee was scheduled to meet again on October 17th, where they would be going over the MFRI surveys for spring '19 recommended classes and come up with some class offerings as well as locations for those classes. Companies had been urged to get their responses back by October 15th.

AFG Grant

Chief Fox stated that the Assistance to Firefighters grant was open and would be accepting applications through Friday, October 26, at 17:00.

Question Asked: "Just one quick question about the LOSAP. Since that's a change to the County ordinance, does that come before this Board for recommendation to the County Executive then?"

Chief Fox stated that it did not.

Question Asked: "Why doesn't it?"

Chief Owens stated if they get the wording of the ordinance change written, it probably should come through Fire and Rescue Advisory Board for its concurrence. However, there is an ordinance change process and it has several steps to go through.

EMS Training

President Smothers stated that he believed ambulance inspections had started, which Chief Owens confirmed.

EMS Medical Director

The state is still in the process of looking for a statewide EMS Medical Director. President Smothers stated that interviews took place on Wednesday, October 3rd, so it is anticipated that the position will be filled by the end of the year. Dr. Tim Chizmar is shadowing Dr. Alcorta until the end of October, and he is taking over the Assistant EMS Medical Director position.

EMT Testing

President Smothers urged the need for encouraging those doing EMT testing to utilize the online adaptive testing. This is designed to show students where their weaknesses are in their EMT curriculum, and only 18% are currently utilizing this tool, owing to an increasing failure rate.

Question Asked: "I know that at one point, something seemed to be going on statewide, where there were a number of people taking the complete EMT certification class and then simply not showing up at all to test. Is that still as high a percentage as it was earlier?"

President Smothers answered that some of those percentages are still high, because when you get into the MFRI/educational portion, there are two years to take the test. The data is showing that if jurisdictions don't follow up with the personnel within about 90-120 days, they're going to lose that person who is taking the test.

Question Asked: "I remember hearing it at some of the MSFA meetings, that some of the issue was logistical and that the test was only administered through a registered proctor to providers such as community college, something of that nature, and there are logistical concerns, especially in more rural areas. Is that a factor with that delay?"

President Smothers confirmed this and stated that hopefully by the end of the year, they may be able to have a testing site in each county.

Question Asked: "The testing that's available in Frederick County, is that site only open Monday through Friday work hours, or are there evening hours and volunteer hours that would accommodate a working volunteer?"

President Smothers stated that Frederick County works with the military at the Ft. Detrick, so that can be complicated for testing. The County has been sending a lot of people either down to Baltimore County or Montgomery County to take their tests.

Condolences

Having missed the beginning of the meeting. President Smothers wished to offer condolences from Frederick County to anyone listening from Washington County, as their president, Dale Hill, had passed away unexpectedly the week prior. He wished to note that thoughts and prayers were going out to his family and to the firefighters in Washington County as well.

VIII. DISCUSSION ITEMS

A. Old Business

PulsePoint CPR Notification App

Chief Owens reported that the PulsePoint programming was almost complete. A test call was scheduled for October 9th, and then they should be close to rolling it out.

Question Asked: "Can we get that app on our phone? I mean, can we download the app?"

Chief Owens answered that you can download it now. However, until it is rolled out, a "No PulsePoint service yet" message is displayed.

2018 Accreditation Process

Chief Fox reported that only Company #10, Guardian Hose Company, and Company #30, Thurmont Ambulance Company remain outstanding for not being evaluated.

Question Asked: "Okay, so must mean #3, #12, and #16, are now compliant?"

"Yes," replied Chief Fox.

Volunteer Background Checks

Chief Fox had nothing new to report. He has obtained a CJIS authorization number and is continuing to investigate fingerprinting as an option, hopefully out of a headquarters building. He also has toured the facility of a neighboring jurisdiction. They will be providing him with some cost analysis and logistical considerations that will be needed to get this up and running.

Question Asked: "The accreditation process, did we put a date on that?"

Chief Owens replied, "The date is long past."

Revised Amendment to Finance Regulations for Appropriation of Funds to Volunteer Fire, Rescue & Ambulance Corporations

Question Asked: "Chief, do you know, do we need a motion in this body for Roberts Rules of order to take effect from the table?"

Chief Owens was not certain but agreed that it would be a good idea to take a motion just to make sure. Todd Johnson then made a motion to take the revised amendment that was tabled

last meeting from the table for discussion. Susan Reeder-Jessee seconded. Before the motion could pass, Todd Johnson then made a motion that the board not approve the amendment as presented at that time, and Micky Fyock seconded.

Question Asked: "Is this the one that was just handed to us that you're talking about?"

Chief Owens answered that it is the same one handed out at the last meeting and that he had just fit it onto one sheet, so that it could be discussed more easily.

There was then a lengthy discussion regarding the origins of this amendment having come from the Fire and Rescue Advisory Board and how this was the first time there had been a change proposed by this particular board. Chief Owens described the policy review channels that the amendment would have to go through before it is finally approved.

Question Asked: "And what was the date of that meeting?"

Chief Owens replied, "It was two Tuesdays ago, two weeks ago Tuesday."

Question Asked: "What was the number of non-compliant companies originally in the first year? Six or eight, wasn't it?"

Susan Nicol confirmed this.

Question Asked: "What is the timeline once it goes back down to come back up?"

Chief Owens answered that it goes to the Executive Board for 30 days. With the input that they receive, they will then act on it at their second meeting.

Question Asked: "Which board are you speaking of?"

Chief Owens answered, "The Executive Committee of the Association," stating it would go to them at their October meeting, and they would act on it at their November meeting.

Question Asked: "The full Association would act on it?"

Chief Owens replied, "The full Association doesn't act on it, just the Executive Committee by the policy process." He further explained that if this policy is approved, it will not benefit until next year, as the majority of funding distribution for this year has already taken place.

Question Asked: "Do we need to do it every year? Are there some of the people doing the same things?"

Chief Owens answered that keeping the membership requirements of the number of operational members, the number of drivers and the number of company officers are things required by the law, not just a fire rescue policy. This is forcing the corporation to keep up with the legal aspects of their corporate status that can get out of touch. President Smothers added that they are trying to get as much of this stuff automated as they can.

Question Asked: "I have a question about the physicals. Do they all go to the employee health?"

"CorpOHS," replied Chief Owens.

Question Asked: "So you should be able to just pull something from there, I would imagine."

Chief Owens stated that they do get the results forwarded. Todd Johnson then pointed out, "Unless they get a physical from another jurisdiction."

Question Asked: "Since this originated with us, I have a question about the wording of version 2. In paragraph 4 and paragraph 6, it says that the fund will be withheld until such time that the volunteer corporation is in compliance with the rule/regulation/policy/procedure or minimum standard violated. And then in 7, it says that if they're not in compliance within 60 days after their original notification, the funding will be forfeited. Isn't that a contradiction?"

Chief Owens explained that they have 30 days to come into compliance, and then there is another 30-day period if you miss the 30-day deadline, which gets you to 60 days.

Question Asked: "So anything beyond 60 days, you're forfeiting the money?"

"Right," answered Chief Owens.

Question Asked: "And then there was a question of whether or not they were forfeiting the entire allotment or if it was just going to be prorated?"

Chief Owens explained that the distribution is in smaller increments, so it would be a situation where the next distribution is what would be withheld. If they are still not in compliance at the time of the second distribution, then he felt that should be withheld as well.

Question Asked: "Do we need to specify that?"

Chief Owens spoke of the schedule of payments being not exactly quarterly. Todd Johnson shared that payments are in July, August, October, and February.

The board then revisited the motion made by Todd Johnson, seconded by Micky Fyock to not approve the amendment recommendation.

Question Asked: "So just to confirm, so your motion is to not kick it down to the Association at all?"

Todd Johnson replied, "Let the Association bring it forward."

Question Asked: "Say that again? We're voting not to send it down to them, and let them send it back to us. Is that what you're saying?"

Todd Johnson replied, "My motion simply states not to approve the amendment presented." It was then pointed out that this would kill it, and the vote was taken on not approving the amendment.

VOTE: YES: 2 NO: 6 ABSTAIN: 0 NOT PASSED

After the vote, Susan Nicol then made a motion to approve the amendment and send it on its way for further review. Jay Schwab seconded the motion.

VOTE: YES: 6 NO: 2 ABSTAIN: 0 PASSED

B. New Business

Substance Abuse Policy

Chief Fox presented the Substance Abuse Policy that was requested by Human Resources for better clarification and it will now also address candidate testing, including probable-cause testing. He presented this as an initial reading for the Fire and Rescue Advisory Board. The policy had been presented to the Volunteer Fire Association Executive Committee, where it was received favorably.

Question Asked: "I have a question on section 4, Prohibited Conduct, in that it says, 'The division of fire and rescue services shall not utilize volunteer members who demonstrate that they are illegally using, or have illegally used within the recent past, controlled dangerous substances, either on-duty or off-duty,' etc. What do you consider 'the recent past'?"

Chief Fox answered, "I'd say within the last five years."

Question Asked: "Is there a County policy?"

Chief Owens answered that there is and provided some examples from that policy.

Question Asked: "Or medical marijuana. That's acceptable, or is it?"

Chief Owens did not have an exact answer for this, as they have not run across that situation yet. That will have to be looked into further.

Question Asked: "For the use of alcohol, 0.04, do we need to do or look at a caveat on there for CDL stuff at 0.02?"

"No," replied Chief Fox.

Question Asked: "You gave a testing schedule. Do you have for age break-out, for testing?"

Chief Fox replied that it is just based on your annual physical. Chief Owens added that volunteers are on a gradual scale and that it is age based. The younger you are, the less frequent it is.

Question Asked: "So this is just for information only, correct?"

Chief Fox confirmed this and stated no action was needed.

As there would not be a November meeting, Dave Remsburg made an appeal to the public to find out about all of the candidates running for office and encouraged everyone to get out and vote.

IX. ACTION ITEMS

None.

X. ADJOURNMENT

The meeting adjourned at 8:42 p.m.

APPROVED



Tim Clarke, Chair

APPROVED

12-10-18

Date of Approval

APPROVED



Gunnar Pedersen, Vice-Chair

APPROVED

12-10-18

Date of Approval